



**Docket No.: 1317.1014CIPCIP**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Application of:

Jung-Kwon HEO

Serial No. 09/618,731

Group Art Unit: 2616

Confirmation No. 9566

Filed: July 18, 2000

Examiner: Christopher Onuaku

For: APPARATUS AND METHOD FOR RECORDING DATA ON A DVD-AUDIO DISK

**COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In the Office Action mailed June 1, 2005 and in the Office Action of August 25, 2004, the Examiner provided reasons for allowability for claims as set forth therein. However, the Examiner's statements only pertain to selected claims as set forth therein and do not address the remaining claims, which have different scopes and other distinctions not limited to the reasons set forth in the Office Action. It is further submitted that, with respect to the claims addressed in the Office Actions, the claims speak for themselves and should not be interpreted based on the Examiner's characterizations of same since the claims provide their own best evidence as to the reasons for allowance. Lastly, the Examiner's summarization of the prior art in the reasons has not been reviewed for accuracy since the references also speak for themselves, especially in relation to the patentability of the allowed claims.

MPEP §1302.14 states, in part:

Where specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise and do not place unwarranted interpretations, whether broad or narrow upon the claims. The examiner should keep in mind the possible misinterpretations of his or her statement that may be made and its possible estoppel effects.

It is submitted that the Examiner's Statement does not meet this standard and, instead,

raises "possible misinterpretations... and possible estoppel effects" (MPEP 1302.14) and, accordingly, should be disregarded

Respectfully submitted,

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Date: JAN 5, 2006